

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

FREDERICK BANKS #05711-068

CASE NO. 2:20-CV-01610 SEC P

VERSUS

JUDGE JAMES D. CAIN, JR.

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MAGISTRATE JUDGE KAY

JUDGMENT

Before the Court is a Report and Recommendation (Doc. 10) by the Magistrate Judge recommending that the instant lawsuit be dismissed because of failure to exhaust administrative remedies. Instead of filing an opposition, Plaintiff Frederick Banks filed a “Motion to Reopen Case” (Doc. 12) accompanied with an email string in an attempt to prove that he had exhausted his administrative remedies. Considering the motion and the newly discovered evidence, but without determining if Mr. Banks has in fact exhausted his administrative remedies,

IT IS ORDERED, ADJUDGED, AND DECREED that the Report and Recommendation is **DENIED**, and the Motion to Reopen the Case is **GRANTED**.

THUS DONE AND SIGNED in Chambers on this 3rd day of August, 2021.


JAMES D. CAIN, JR.
UNITED STATES DISTRICT COURT